IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8076 OF 2005
IN
SPECIAL DARKHAST NO.180 OF 1998

Dilip E.Choudhari & Ors. .. Petitioners

Vs.

Sham Gandhi Constructions & Ors. ..Respondents

Mr.G.S.Godbole for the petitioners

Mr.H.P.Vyas for the respondents

CORAM : S.U.KAMDAR, J
DATED : 19TH DECEMBER, 2005

P.C.:

1. By consent of the parties, following order is passed:

2. The order impugned herein dt.1.9.05 passed on Ex.40 in Special Darkhast No.180 of 1998 is modified to the extent that the amount payable by the Judgement Debtor i.e. petitioner of Rs.85.823 in respect of possession of premises admeasuring 7 x 16 feet not being handed over within time is substituted with Rs.50,000/-.

3. Petitioners undertake to pay the aforesaid

amount of Rs.50,000 to the respondents within 5 months in 5 equal monthly instalments commencing from 10.1.06. In an event of any default the present petition will stand dismissed and respondents will be entitled to execute decree for the entire amount of 85,823/-. Petition is disposed of accordingly. No order as to costs.